

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 3RD OCTOBER 2006 / 11TH ASWINA 1928

Bail Appl..No. 5880 of 2006()

CRIME NO.6/2006 OF TOWN POLICE STATION, KOZHIKODE

PETITIONER/2ND ACCUSED

NABEEL P., S/O.ABDUL RAHMAN KUTTY,
AGED 18 YEARS, PUTHUKKUDI HOUSE,
PATHINARUNKAL, P.O.PANTHARANGADI,
TIROORANGADI TALUK, THRIKKULAM AMSOM DESOM,
MALAPPURAM.

BY ADV. SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTING
SUB INSPECTOR OF POLICE, TOWN POLICE STATION,
KOZHIKODE, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03/10/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. No. 5880 of 2006

Dated this the 3rd day of October, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 379 of the Indian Penal Code, in Crime No.6/2006 of Town Police Station, Kozhikode. It is alleged that the petitioner, the second accused, along with the first accused, had committed theft of the motor bike.

2. The counsel for the petitioner, however, submitted that the petitioner was arrested on 22/06/2006 by the Sub Inspector of Parappanangadi Police Station, on suspicion of having committed theft of the bike and, thereafter, he was produced before the court below. The learned Magistrate, granted him bail and he was released on 27/06/2006. Counsel submits that the present crime has been registered by the Town Police, thereafter. Hence, this application under Section 438 Cr.P.C.

3. After hearing both sides and considering the

facts on record, I direct the petitioner to surrender before the Investigating Officer, who is investigating Crime No.6/2006 of Town Police Station, Kozhikode, on 09/10/2006, between 9.30 a.m and 10 a.m.

4. The Investigating Officer shall interrogate the petitioner and, thereafter, produce him before the court below, according to the law.

5. The learned Magistrate shall consider the bail application of the petitioner and after hearing both sides, pass orders, on merit, on the same day itself.

(J.M.JAMES)
Judge

ms